



Santa Rosa Sheriff's Office

Sheriff Bob Johnson

To: Capt. Shane Tucker

From: Sgt. Scott Jones

Re: Supervisory Inquiry: Lynn Burris SI#170-007

Date: January 27, 2017

COMPLAINT:

This supervisor inquiry is predicated upon an order from Captain Tucker in response to a citizen complaint which was received telephonically on 1-24-17 by Ms. Betty Kisser. On 1-24-17 Ms. Kisser contacted the Major Crimes administrative assistant Angela Ouimette. Ms. Kisser was upset that she had not heard from a Detective and requested to speak with a supervisor. Ms. Ouimette advised that Ms. Kisser provided a case#16001197 which she looked up in an attempt to provide Ms. Kisser with an update on the case. Upon looking the case up it was discovered that no case supplemental reports had been entered. Ms. Kisser further advised that she had not been contacted by a Detective and the juvenile victim had not been interviewed.

FINDINGS:

On 1-25-17 I looked up case#16011197 and discovered that on 11-24-17 Dep. Greg Barnes took an initial report from Ms. Kisser alleging that her 10 year old granddaughter was touched on her vaginal area through her clothes during a short ride on an ATV with the suspect, Henry Ray Thompson. The case was forwarded to the Major Crimes Unit. Det. Burris was assigned this case on 12-5-16. I have attached a copy of the email sent to Det. Burris on 12-5-16 advising him that the case was assigned to him for follow up. As of 1-25-17, no supplemental reports had been added to the case. I made telephone contact with Ms. Kisser (850)736-6484. Ms. Kisser advised that she has not heard from a Detective regarding her case, the victim has not been interviewed and she has recently observed the suspect in and around the town of Jay. Ms. Kisser felt that her case was not taken seriously and she was extremely upset. Ms. Kisser declined to file a formal complaint. I immediately reassigned the case to Det. Leach who was able to schedule a CPT interview of the victim to be conducted on 1-26-17 at the Santa Rosa Kids House.

A further review of Det. Burris' case log revealed that out of the 17 cases assigned to him for follow up, 11 cases had no supplemental reports added within the last 30 days. It should be noted that on 12-5-16 I sent an email to Det. Burris advising him that 7 of his active cases had not been supplemented within 30 days as required by agency directives. On January 18th, 2017, Lt. Haines reviewed active cases belonging to Detective Lynn Burris. Lt. Haines found that the majority of his cases had not been supplemented in over 30 days. Approximately one month earlier I had spoken to Burris about catching these up, and the importance of having his cases up to date. He stated that he would have it corrected. The status of the cases had not changed. Most importantly, Burris had not done any supplements in reference to a homicide that had happened in



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Navarre. Burris had close to 5 weeks to get these supplements completed. His failure to complete these supplements was holding up the process of sending the case to the state attorney. On 1-18-17 Lt. Haines spoke to Burris about this, in the company of Lt. Tucker. Burris had no reasonable explanation as to why he didn't have his supplements completed.

On 1-25-17 I spoke with Det. Burris to inquire as to whether or not there was a reasonable explanation for why he had not initiated an investigation regarding case#16011197. Det. Burris readily admitted that he had not worked on the case and he further advised that he did not have a valid excuse as to why he neglected to follow up on the case. Det. Burris readily admitted that he was burned out with working these types of cases and he apologized for his poor work performance. Det. Burris further explained that in recent months he got behind on his caseload due to having fewer workdays over the holidays, being in training, and being utilized by the training division on several Fridays during the last quarter of 2016. Det. Burris stated that he was not making excuses and he acknowledged that he could have completed his job tasks if he had managed his time better. Det. Burris acknowledged that he was responsible for not completing these job tasks and he was apologetic. Upon quizzing Det. Burris about his open cases, it appears that the case involving Ms. Kissner the only case in which no follow up investigation was conducted; however based upon the totality of the circumstances it appears that Det. Burris has been generally neglecting his duty to document latent investigations.

POLICY VIOLATION (S):

General Order **M-005** indexed as Criminal Investigation Administration section #5 subsection A. states:

"Upon receipt of an assigned case, the detective will conduct a thorough investigation and document it in compliance SRSO policy and procedure. Supplement reports are due within ten (10) working days. However, with supervisory approval, supplement reports involving protracted investigations can be delayed up to thirty working days."

DISCIPLINARY GUIDELINES AND STANDARDS:

General Order **J-003**

(c.) Neglect of Duty Offenses

(069)Disregarding Job Duties by Neglect: Members shall be attentive to their job duties and shall avoid any appearance of loafing, loitering, or otherwise neglecting work while on duty. Members shall not, by intentional act or omission, or through negligence, expose the public and/or any agency member to danger

(Level Two Violation)



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CONTACT COMPLAINANT:

On 1-27-17 I contacted Ms. Kissler via telephone and advised her of the inquiry findings and recommendations. I further advised Ms. Kissler the inquiry will proceed up the chain of command for review and final approval. Ms. Kissler thanked me for my prompt attention to her complaint and seemed satisfied with the recommendation.

RECOMMENDATIONS:

Based upon the findings of this inquiry I recommend that the disposition of the listed policy violations be sustained. I further recommend that Det. Burris receive a written reprimand for the sustained level II violation of disciplinary standards.

ATTACHMENT (S):

1. Printed Email Dated 12-5-16 (Det. Burris Case Assignment)
2. Printed Email Dated 12-5-16 (Det. Burris Overdue Supplements)
3. Printed Email Dated 1-19-16 (Det. Burris Overdue Supplement)
4. Initial Offense Report Case#16011197
5. Prior Discipline Worksheet